✎AO 247 (02/08)   Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT
for the

Southern District of Georgia

Statesboro Division

2008 JUN 23 PH 12: 25

United States of America	)	
v.	)	
Darvis Small	)	Case No: CR604-00014-001
	)	USM No: 11983-021
Date of Previous Judgment: December 7, 2005	)	Charles W. Cook
(Use Date of Last Amended Judgment if Applicable)	)	Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of [X] the defendant [ ] the Director of the Bureau of Prisons [ ] the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

[ ] DENIED. [X] GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____110_____ months **is reduced to** _____97 months_____ .

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level:	29		Amended Offense Level:	27
Criminal History Category:	II		Criminal History Category:	II
Previous Guideline Range:	97 to 121 months		Amended Guideline Range:	78 to 97 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

[X] The reduced sentence is within the amended guideline range.

[ ] The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
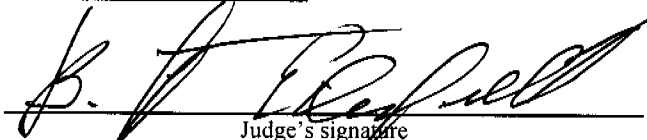
[ ] Other (explain):

III. ADDITIONAL COMMENTS

If this sentence is less than the amount of time the defendant has already served, the sentence is reduced to a "Time Served" sentence.

Except as provided above, all provisions of the judgment dated December 7, 2005, shall remain in effect.

IT IS SO ORDERED.

Order Date: June 23, 2008

_____
Judge's signature

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia

Effective Date: _____
(if different from order date)

Printed name and title